



# The Commonwealth of Massachusetts

## Executive Office of Public Safety

### Programs Division

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**Edward A. Flynn**  
Secretary

Dear Chief of Police:

Each year my office distributes approximately 2,000 Sexual Assault Evidence Collection Kits (sometimes referred to as Rape Kits but preferably called SAEC kits), and 300 Toxicology Kits. We request your assistance in transporting the kits and accompanying evidence (clothing) from local hospitals to the appropriate crime laboratory. Please remind your department personnel of the accepted protocol that has been supported and endorsed both by police groups and human service providers.

As you are aware, it is not necessary for victims to report a sexual assault to the police before medical providers perform forensic examinations. Sexual assaults have devastating impacts upon victims, which often leaves them undecided about whether to disclose the assault to authorities. The crime laboratory understands that dynamic and, to allow victims additional time to report a sexual assault to law enforcement, they store "unreported kits" and accompanying evidence for at least six months.

If kits collected from unreported sexual assaults are not transported to the lab, vital forensic evidence will be lost if the victim later reports the crime to the police. Therefore, **every** kit must be treated as potentially valuable forensic evidence by establishing a chain of custody and expediting transport of the evidence to the crime laboratory. The current accepted transportation protocol calls for the police department of the town in which the assault occurred to pick up the kit from the medical provider and transport it to the appropriate crime laboratory. (See Attached flyer)

It is important for the police, the victim and the prosecutor that kits and accompanying evidence be transported to the crime laboratory as quickly as possible to prevent evidence degradation. When kits cannot be transported immediately, they must be stored in a secure, refrigerated area.

I would encourage you, if you have not done so already, to incorporate information from the enclosed flyer into your department's policy and procedure manuals. It may also prove to be beneficial for your supervisory and/or evidentiary personnel to be reacquainted with the prescribed protocol as it relates to the transportation of SAEC kits for unreported assaults. This letter and the attached flyer are available for you to download at <http://www.state.ma.us/ccj/saec.htm>.

Aside from adhering to the prescribed protocol, there is an added advantage for departments when they transport the kits: it provides local authorities indirect notice that a violent crime has occurred within their community. Although such notice may not include the particulars associated with an unreported crime, the fact that the SAEC kit exists provides some degree of notice, and an opportunity to deal with a potential public safety issue in a proactive way.

Any financial burden incurred by adhering to this transportation protocol may, at the discretion of the Chief of Police, be defrayed as an allowable expense using state community policing grant funds. Additionally, you will be hearing more about a federal grant recently awarded to the Massachusetts State Police Crime Laboratory to address the backlog of DNA evidence and for a pilot project that would allow kit transportation to the crime laboratories by overnight mail. We will keep you informed of that pilot project's progress.

If you have questions about these procedures, please do not hesitate to contact Marilee Kenney Hunt, Sexual Assault Evidence Collection Kit Program Director at 617-727-6300, extension 25311. Your on-going attention to this important public safety issue is appreciated.

Sincerely,

A handwritten signature in black ink, reading "Edward A. Flynn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward A. Flynn

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